

Given the Court's Order at Dkt. 499, this motion is denied as moot. The Clerk of Court is respectfully directed to terminate the motion at ECF No. 478.

**VIA ECF**

March 11, 2025

The Honorable Arun Subramanian  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl St., Courtroom 15A  
New York, NY 10007

SO ORDERED.



Arun Subramanian, U.S.D.J.

Date: April 1, 2025

Re: *United States et al. v. Live Nation Entertainment, Inc., et al.*, No. 1:24-cv-3973-AS

Dear Judge Subramanian:

Plaintiffs seek the Court's leave to file under seal a Motion to Compel and Exhibits and to file a redacted version of the Motion to Compel and Exhibits D-1 and D-3 on the public docket. Contemporaneous with the filing of this letter-motion, and in accordance with Paragraph 11(c)(iii) of the Court's Individual Practices and Paragraph 9 of the Protective Order, ECF No. 213, Plaintiffs are (1) publicly filing on ECF a copy of the Motion to Compel and Exhibits D-1 and D-3 with proposed redactions and (2) filing under seal on ECF an unredacted copy of the Motion to Compel and Exhibits D-1 and D-3 with proposed redactions highlighted, along with sealed versions of Exhibits A to D and D-2.

**Plaintiffs Seek Provisional Redaction of the Motion to Compel Solely to Comply with the Protective Order and the Court's Individual Practices**

Plaintiffs request provisional redaction of the Motion to Compel because it contains information from the pre-Complaint investigation, including information that Defendants identified as confidential during the pre-Complaint investigation. The Motion to Compel also attaches Exhibits A to D-3, documents that consist of or describe discussions and materials from Plaintiffs' pre-Complaint investigation that are subject to confidentiality obligations, and the Motion itself contains passages describing or reflecting those exhibits. Exhibits D to D-3 also reference documents or information designated by a third party as Highly Confidential, and Exhibit D-2 was designated by Defendants as Confidential.

On both March 9 and March 11, Plaintiffs requested that Defendants de-designate Exhibit C as nonconfidential, permitting public filing of that exhibit and material drawn from it. As of this filing, Defendants have not responded.

**Defendants Must Overcome the Presumption of Public Access to Justify Any Continued Redaction of the Motion to Compel and its Exhibits**

Plaintiffs request redaction of the Motion to Compel and Exhibits D-1 to D-3 and sealing of Exhibits A to D because of Defendants' confidentiality assertions and designations. "The burden of demonstrating that a document submitted to a court should be sealed rests on the party seeking such action," *DiRussa v. Dean Witter Reynolds Inc.*, 121 F.3d 818, 826 (2d Cir. 1997), and sealing "should not be done without a compelling reason," *City of Hartford v. Chase*, 942

F.2d 130, 135 (2d Cir. 1991). Defendants accordingly bear the burden of showing the material warrants sealing.

“[T]he mere filing of a paper or document with the court is insufficient to render that paper a judicial document subject to the right of public access.” *United States v. Amodeo*, 44 F.3d 141, 145 (2d Cir. 1995). Rather, “the item filed must be relevant to the performance of the judicial function and useful in the judicial process in order for it to be designated a judicial document.” *Id.* “[T]he weight to be given the presumption of access must be governed by the role of the material at issue in the exercise of Article III judicial power and the resultant value of such information to those monitoring the federal courts.” *United States v. Amodeo*, 71 F.3d 1044, 1049 (2d Cir. 1995) (“*Amodeo II*”). “[A]fter determining the weight of the presumption of access, the court must ‘balance competing considerations against it.’” *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 120 (2d Cir. 2006) (*quoting Amodeo II*, 71 F.3d at 1050).

If Defendants maintain the Exhibits and associated text at issue warrant sealing, then Plaintiffs request, pursuant to Individual Practices ¶ 11(C)(i), that Defendants be required to file a letter-motion to seal within three business days “explaining the need to seal or redact the document.” Plaintiffs also respectfully request an opportunity to respond to any letter-motion to seal filed by Defendants. Should Plaintiffs oppose proposed redactions by Defendants, Plaintiffs will file a response within 3 business days.

Respectfully submitted,

/s/ Bonny Sweeney

BONNY SWEENEY

*Lead Trial Counsel*

United States Department of Justice

Antitrust Division

450 Fifth Street N.W., Suite 4000

Washington, DC 20530

Telephone: (202) 725-0165

Facsimile: (202) 514-7308

Email: Bonny.Sweeney@usdoj.gov

*Attorney for Plaintiff United States of*

*America*

/s/ Robert A. Bernheim

Robert A. Bernheim (admitted *pro hac vice*)  
Office of the Arizona Attorney General  
Consumer Protection & Advocacy Section  
2005 N. Central Avenue  
Phoenix, AZ 85004  
Telephone: (602) 542-3725  
Fax: (602) 542-4377  
Email: Robert.Bernheim@azag.gov  
*Attorney for Plaintiff State of Arizona*

/s/ Amanda J. Wentz

Amanda J. Wentz (admitted *pro hac vice*)  
Assistant Attorney General  
Office of the Arkansas Attorney General  
323 Center Street, Suite 200  
Little Rock, AR 72201  
Telephone: (501) 682-1178  
Fax: (501) 682-8118  
Email: amanda.wentz@arkansasag.gov  
*Attorney for Plaintiff State of Arkansas*

/s/ Paula Lauren Gibson

Paula Lauren Gibson (admitted *pro hac vice*)  
Deputy Attorney General  
(CA Bar No. 100780)  
Office of the Attorney General  
California Department of Justice  
300 South Spring Street, Suite 1702  
Los Angeles, CA 90013  
Telephone: (213) 269-6040  
Email: paula.gibson@doj.ca.gov  
*Attorney for Plaintiff State of California*

/s/ Conor J. May

Conor J. May (admitted *pro hac vice*)  
Assistant Attorney General  
Antitrust Unit  
Colorado Department of Law  
1300 Broadway, 7th Floor  
Denver, CO 80203  
Telephone: (720) 508-6000  
Email: Conor.May@coag.gov  
*Attorney for Plaintiff State of Colorado*

/s/ Kim Carlson McGee

Kim Carlson McGee (admitted *pro hac vice*)  
Assistant Attorney General  
Office of the Attorney General of  
Connecticut  
165 Capitol Avenue  
Hartford, CT 06106  
Telephone: 860-808-5030  
Email: kim.mcgee@ct.gov  
*Attorney for Plaintiff State of Connecticut*

/s/ Elizabeth G. Arthur

Elizabeth G. Arthur (admitted *pro hac vice*)  
Senior Assistant Attorney General  
Office of the Attorney General for the  
District of Columbia  
400 6<sup>th</sup> Street NW, 10<sup>th</sup> Floor  
Washington, DC 20001  
Email: Elizabeth.arthur@dc.gov  
*Attorney for Plaintiff District of Columbia*

/s/ Lizabeth A. Brady

Lizabeth A. Brady  
Director, Antitrust Division  
Florida Office of the Attorney General  
PL-01 The Capitol  
Tallahassee, FL 32399-1050  
Telephone: 850-414-3300  
Email: Liz.Brady@myfloridalegal.com  
*Attorney for Plaintiff State of Florida*

/s/ Richard S. Schultz

Richard S. Schultz (Admitted *pro hac vice*)  
Assistant Attorney General  
Office of the Illinois Attorney General  
Antitrust Bureau  
115 S. LaSalle Street, Floor 23  
Chicago, Illinois 60603  
Telephone: (872) 272-0996  
Email: Richard.Schultz@ilag.gov  
*Attorney for Plaintiff State of Illinois*

/s/ Jesse Moore

Jesse Moore (admitted *pro hac vice*)  
Deputy Attorney General  
Office of the Indiana Attorney General  
302 W. Washington St., Fifth Floor  
Indianapolis, IN 46204  
Telephone: 317-232-4956  
Email: Jesse.Moore@atg.in.gov  
*Attorney for Plaintiff State of Indiana*

/s/ Noah Goerlitz

Noah Goerlitz (admitted *pro hac vice*)  
Assistant Attorney General  
Office of the Iowa Attorney General  
1305 E. Walnut St.  
Des Moines, IA 50319  
Telephone: (515) 281-5164  
Email: noah.goerlitz@ag.iowa.gov  
*Attorney for Plaintiff State of Iowa*

/s/ Christopher Teters

Christopher Teters (admitted *pro hac vice*)  
Assistant Attorney General  
Public Protection Division  
Office of Kansas Attorney General  
120 S.W. 10th Avenue, 2nd Floor  
Topeka, KS 66612-1597  
Telephone: (785) 296-3751  
Email: chris.teters@ag.ks.gov  
*Attorney for Plaintiff State of Kansas*

/s/ Mario Guadamud

Mario Guadamud (admitted *pro hac vice*)  
Louisiana Office of Attorney General  
1885 North Third Street  
Baton Rouge, LA 70802  
Telephone: (225) 326-6400  
Fax: (225) 326-6498  
Email: GuadamudM@ag.louisiana.gov  
*Attorney for Plaintiff State of Louisiana*

/s/ Schonette J. Walker

Schonette J. Walker (admitted *pro hac vice*)  
Assistant Attorney General  
Chief, Antitrust Division  
200 St. Paul Place, 19th floor  
Baltimore, Maryland 21202  
Telephone: (410) 576-6470  
Email: swalker@oag.state.md.us  
*Attorney for Plaintiff State of Maryland*

/s/ Katherine W. Krems

Katherine W. Krems (admitted *pro hac vice*)  
Assistant Attorney General, Antitrust  
Division  
Office of the Massachusetts Attorney  
General  
One Ashburton Place, 18th Floor  
Boston, MA 02108  
Telephone: (617) 963-2189  
Email: Katherine.Krems@mass.gov  
*Attorney for Plaintiff Commonwealth of  
Massachusetts*

/s/ LeAnn D. Scott

LeAnn D. Scott (admitted *pro hac vice*)  
Assistant Attorney General  
Corporate Oversight Division  
Michigan Department of Attorney General  
P.O. Box 30736  
Lansing, MI 48909  
Telephone: (517) 335-7632  
Email: ScottL21@michigan.gov  
*Attorney for Plaintiff State of Michigan*

/s/ Zach Biesanz

Zach Biesanz  
Senior Enforcement Counsel  
Antitrust Division  
Office of the Minnesota Attorney General  
445 Minnesota Street, Suite 1400  
Saint Paul, MN 55101  
Telephone: (651) 757-1257  
Email: zach.biesanz@ag.state.mn.us  
*Attorney for Plaintiff State of Minnesota*

/s/ Gerald L. Kucia

Gerald L. Kucia (admitted *pro hac vice*)  
Special Assistant Attorney General  
Mississippi Office of Attorney General  
Post Office Box 220  
Jackson, Mississippi 39205  
Telephone: (601) 359-4223  
Email: Gerald.Kucia@ago.ms.gov.  
*Attorney for Plaintiff State of Mississippi*

/s/ Justin C. McCully

Justin C. McCully (admitted *pro hac vice*)  
Assistant Attorney General  
Consumer Protection Bureau  
Office of the Nebraska Attorney General  
2115 State Capitol  
Lincoln, NE 68509  
Telephone: (402) 471-9305  
Email: justin.mccully@nebraska.gov  
*Attorney for Plaintiff State of Nebraska*

/s/ Lucas J. Tucker

Lucas J. Tucker (admitted *pro hac vice*)  
Senior Deputy Attorney General  
Office of the Nevada Attorney General  
Bureau of Consumer Protection  
100 N. Carson St.  
Carson City, NV 89701  
Email: ltucker@ag.nv.gov  
*Attorney for Plaintiff State of Nevada*

/s/ Zachary Frish

Zachary A. Frish (admitted *pro hac vice*)  
Assistant Attorney General  
Consumer Protection & Antitrust Bureau  
New Hampshire Attorney General's Office  
Department of Justice  
1 Granite Place South  
Concord, NH 03301  
Telephone: (603) 271-2150  
Email: zachary.a.frish@doj.nh.gov  
*Attorney for Plaintiff State of New Hampshire*

/s/ Yale A. Leber

Yale A. Leber (admitted *pro hac vice*)  
Deputy Attorney General  
Division of Law  
Antitrust Litigation and Competition  
Enforcement  
124 Halsey Street, 5<sup>th</sup> Floor  
Newark, NJ 07101  
Telephone: (973) 648-3070  
Email: Yale.Leber@law.njoag.gov  
*Attorney for Plaintiff State of New Jersey*

/s/ Bryan L. Bloom

Bryan L. Bloom  
Senior Enforcement Counsel  
New York State Office of the Attorney  
General  
28 Liberty Street  
New York, NY 10005  
Telephone: (212) 416-8598  
Email: Bryan.Bloom@ag.ny.gov  
*Attorney for Plaintiff State of New York*

/s/ Jeff Dan Herrera

Jeff Dan Herrera (*pro hac vice* pending)  
Assistant Attorney General  
Consumer Protection Division  
New Mexico Department of Justice  
408 Galisteo St.  
Santa Fe, NM 87501  
Telephone: (505) 490-4878  
Email: JHerrera@nmdoj.gov  
*Attorney for Plaintiff State of New Mexico*

/s/ Brian D. Rabinovitz

Brian D. Rabinovitz (admitted *pro hac vice*)  
Special Deputy Attorney General  
North Carolina Department of Justice  
Post Office Box 629  
Raleigh, North Carolina 27602  
Telephone: (919) 716-6000  
Facsimile: (919) 716-6050  
Email: brabinovitz@ncdoj.gov  
*Attorney for Plaintiff State of North Carolina*

/s/ Sarah Mader

Sarah Mader (admitted *pro hac vice*)  
Assistant Attorney General  
Antitrust Section  
Office of the Ohio Attorney General  
30 E. Broad St., 26th Floor  
Columbus, OH 43215  
Telephone: (614) 466-4328  
Email: Sarah.Mader@OhioAGO.gov  
*Attorney for Plaintiff State of Ohio*

/s/ Robert J. Carlson

Robert J. Carlson (admitted *pro hac vice*)  
Senior Assistant Attorney General  
Consumer Protection Unit  
Office of the Oklahoma Attorney General  
15 West 6th Street  
Suite 1000  
Tulsa, OK 74119  
Telephone: 918-581-2230  
Email: robert.carlson@oag.ok.gov  
*Attorney for Plaintiff State of Oklahoma*

/s/ Gina Ko

Gina Ko (admitted *pro hac vice*)  
Assistant Attorney General  
Antitrust, False Claims, and Privacy  
Section  
Oregon Department of Justice  
100 SW Market St.,  
Portland, Oregon 97201  
Telephone: (971) 673-1880  
Fax: (503) 378-5017  
Email: Gina.Ko@doj.oregon.gov  
*Attorney for Plaintiff State of Oregon*

/s/ Joseph S. Betsko

Joseph S. Betsko (admitted *pro hac vice*)  
Assistant Chief Deputy Attorney General  
Antitrust Section  
Pennsylvania Office of Attorney General  
Strawberry Square, 14th Floor  
Harrisburg, PA 17120  
Telephone: (717) 787-4530  
Email: jbetsko@attorneygeneral.gov  
*Attorney for Plaintiff Commonwealth of Pennsylvania*

/s/ Paul T.J. Meosky

Paul T.J. Meosky (admitted *pro hac vice*)  
Special Assistant Attorney General  
150 South Main Street  
Providence, RI 02903  
Telephone: (401) 274-4400, ext. 2064  
Fax: (401) 222-2995  
Email: pmeosky@riag.ri.gov  
*Attorney for Plaintiff State of Rhode Island*

/s/ Danielle A. Robertson

Danielle A. Robertson (admitted *pro hac vice*)  
Assistant Attorney General  
Office of the Attorney General of South  
Carolina  
P.O. Box 11549  
Columbia, South Carolina 29211  
Telephone: (803) 734-0274  
Email: DaniRobertson@scag.gov  
*Attorney for Plaintiff State of South Carolina*

/s/ Bret Leigh Nance

Bret Leigh Nance (admitted *pro hac vice*)  
Assistant Attorney General  
1302 E. Hwy 14, Suite 1  
Pierre SD 57501-8501  
Email: bretleigh.nance@state.sd.us  
Telephone: (605) 773-3215  
Bar # 5613  
*Attorney for Plaintiff State of South Dakota*

/s/ Hamilton Millwee

Hamilton Millwee (admitted *pro hac vice*)  
Assistant Attorney General  
Office of the Attorney General and  
Reporter  
P.O. Box 20207  
Nashville, TN 38202  
Telephone: (615) 291-5922  
Email: Hamilton.Millwee@ag.tn.gov  
*Attorney for Plaintiff State of Tennessee*

/s/ Diamante Smith

Diamante Smith (admitted *pro hac vice*)  
Assistant Attorney General, Antitrust  
Division  
Office of the Attorney General of Texas  
P.O. Box 12548  
Austin, TX 78711-2548  
Telephone: (512) 936-1162  
*Attorney for Plaintiff State of Texas*

/s/ Marie W.L. Martin

Marie W.L. Martin (admitted *pro hac vice*)  
Deputy Division Director,  
Antitrust & Data Privacy Division  
Utah Office of Attorney General  
160 East 300 South, 5<sup>th</sup> Floor  
P.O. Box 140830  
Salt Lake City, UT 84114-0830  
Telephone: 801-366-0375  
Email: mwmartin@agutah.gov  
*Attorney for Plaintiff State of Utah*

/s/ Sarah L. J. Aceves

Sarah L. J. Aceves (*pro hac vice*  
forthcoming)  
Assistant Attorney General  
Consumer Protection and Antitrust Unit  
Vermont Attorney General's Office  
109 State Street  
Montpelier, VT 05609  
Telephone: (802) 828-3170  
Email: sarah.aceves@vermont.gov  
*Attorney for Plaintiff State of Vermont*

/s/ David C. Smith

David C. Smith (admitted *pro hac vice*)  
Assistant Attorney General  
Office of the Attorney General of Virginia  
202 North 9<sup>th</sup> Street  
Richmond, Virginia 23219  
Telephone: (804) 692-0588  
Facsimile: (804) 786-0122  
Email: dsmith@oag.state.va.us  
*Attorney for Plaintiff Commonwealth of Virginia*

/s/ Ashley A. Locke

Ashley A. Locke (admitted *pro hac vice*)  
Assistant Attorney General  
Antitrust Division  
Washington Office of the Attorney General  
800 Fifth Avenue, Suite 2000  
Seattle, WA 98104-3188  
Telephone: (206) 389-2420  
Email: Ashley.Locke@atg.wa.gov  
*Attorney for Plaintiff State of Washington*

/s/ Douglas L. Davis

Douglas L. Davis (admitted *pro hac vice*)  
Senior Assistant Attorney General  
Consumer Protection and Antitrust Section  
West Virginia Office of Attorney General  
P.O. Box 1789  
Charleston, WV 25326  
Telephone: (304) 558-8986  
Fax: (304) 558-0184  
Email: douglas.l.davis@wvago.gov  
*Attorney for Plaintiff State of West Virginia*

/s/ Laura E. McFarlane

Laura E. McFarlane (admitted *pro hac vice*)  
Assistant Attorney General  
Wisconsin Department of Justice  
Post Office Box 7857  
Madison, WI 53707-7857  
Telephone: (608) 266-8911  
Email: mcfarlanele@doj.state.wi.us  
*Attorney for Plaintiff State of Wisconsin*

/s/ William T. Young

William T. Young  
Assistant Attorney General  
Wyoming Attorney General's Office  
109 State Capitol  
Cheyenne, WY 82002  
Telephone: (307) 777-7841  
Email: william.young@wyo.gov  
*Attorney for the Plaintiff State of Wyoming*